

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

ILLINOIS BANKERS ASSOCIATION,
AMERICAN BANKERS ASSOCIATION,
AMERICA’S CREDIT UNIONS, and
ILLINOIS CREDIT UNION LEAGUE,

Plaintiffs,

v.

KWAME RAOUL, in his official capacity as
Illinois Attorney General,

Defendant.

Case No. 1:24-cv-07307

Hon. Virginia M. Kendall

JOINT MOTION TO CONTINUE THE MARCH 18, 2025 STATUS HEARING

Plaintiffs Illinois Bankers Association (“IBA”), American Bankers Association (“ABA”), America’s Credit Unions (“ACU”), and Illinois Credit Union League (“ICUL”), and Defendant Kwame Raoul, in his official capacity as Illinois Attorney General, respectfully submit this joint motion to defer the March 18, 2025 status hearing. In support of this joint motion, the parties state as follows:

1. On August 20, 2024, Plaintiffs filed a preliminary injunction motion seeking to preclude the Attorney General from enforcing the Illinois Interchange Fee Prohibition Act (“IFPA”) as to any “issuer,” “payment card network,” “acquirer bank,” “processor,” or “other designated entity,” *see* [815 ILCS 151/150-10\(a\)](#), [150-15\(a\)](#), as well as any other participants in the payment system needed to afford complete relief while this case is pending. *See* [Dkt. No. 15](#); [Dkt. No. 24](#). The Attorney General opposed and filed a motion to dismiss. *See* [Dkt. No. 75](#); [Dkt. No. 76](#).

2. On December 20, 2024, the Court issued an order on Plaintiffs’ preliminary injunction motion and the Attorney General’s motion to dismiss. *See* [Dkt. No. 104](#). The Court

granted each motion in part. *See* [id. at 1](#). On February 6, 2025, following joint supplemental briefing, the Court issued an order granting Plaintiffs' preliminary injunction motion with respect to out-of-state state banks and denying the motion with respect to federal credit unions. *See* [Dkt. No. 115](#).

3. Plaintiffs intend to file a motion for expedited summary judgment, which is due on March 17, 2025. *See* [Dkt. No. 118](#). The parties are currently scheduled for a status conference the following day on March 18, 2025. *Id.* Under this current schedule, the Attorney General would not have sufficient time to review Plaintiffs' motion and formulate a position on the proper next steps before the March 18, 2025 status conference. In addition, the time between the filing of Plaintiffs' motion for summary judgment on March 17, 2025 and the currently scheduled March 18, 2025 status conference does not provide enough time for the parties to confer on additional proceedings on summary judgment or, in the alternative, a case management plan.

4. Having conferred, the parties propose that Plaintiffs notice their motion for presentment for March 25, 2025 at 9:30 am, and that the March 18, 2025 status hearing be continued to this date, to allow sufficient time for Defendant to review the motion and for the parties to confer on a schedule for additional proceedings on summary judgment or, in the alternative, a case management plan. The parties intend to present their scheduling proposal (or proposals) to the Court at the March 25, 2025 presentment hearing if this joint motion is granted.

5. In light of the parties' above-described proposal regarding summary judgment, the parties propose to defer the March 18, 2025 status hearing to the March 25, 2025 presentment hearing for Plaintiffs' forthcoming motion for summary judgment.

WHEREFORE, for the above-described reasons, the parties respectfully request that the Court grant their joint motion to defer the March 18, 2025 status hearing to the presentment hearing

for Plaintiffs' forthcoming motion for summary judgment, which Plaintiffs will notice for March 25, 2025 at 9:30 am.

Dated: March 12, 2025

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Respectfully submitted,

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/s/ Darren Kinkead (with consent)

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CERTIFICATE OF SERVICE

I hereby certify that, on March 12, 2025, a copy of the foregoing was filed using the CM/ECF system, which will effectuate service on all counsel of record.

/s/ Bethany K. Biesenthal

*Attorney for Illinois Bankers Association,
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